

SEP 19 2006

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

By: *James N. Hatten*, Clerk
SB
Deputy Clerk

UNITED STATES OF AMERICA

: CRIMINAL INDICTMENT

v.

: NO.

JOHNNY ARROYO-PINEDA,
VICTOR RAMON GILES-MORALES, and
OLIVAR MARTINEZ-BLANCO

: 1:06-CR-396

THE GRAND JURY CHARGES THAT:

COUNT ONE

Beginning on a date unknown to the Grand Jury, but at least by
on or about June 3, 2005, and continuing until on or about June 4,
2005, in the Northern District of Georgia, the defendants,

JOHNNY ARROYO-PINEDA
VICTOR RAMON GILES-MORALES, and
OLIVAR MARTINEZ-BLANCO

did knowingly combine, conspire, confederate, agree and have a
tacit understanding with others known and unknown to the Grand
Jury, to commit violations of Title 21, United States Code, Section
841(a)(1), that is, to knowingly and intentionally possess with
intent to distribute and to knowingly and intentionally distribute
cocaine, a Schedule II controlled substance, said conspiracy
involving at least five (5) kilograms of a mixture containing a
detectable amount of cocaine, in violation of Title 21, United

States Code, Sections 841(b)(1)(A)(ii) and 846.

COUNT TWO

On or about June 4, 2005, in the Northern District of Georgia, the defendants,

VICTOR RAMON GILES-MORALES, and
OLIVAR MARTINEZ-BLANCO

aided and abetted by each other, did knowingly and intentionally attempt to distribute cocaine, a Schedule II controlled substance, said distribution involving at least five (5) kilograms of a mixture containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(ii), 846 and Title 18, United States Code, Section 2.

COUNT THREE

On or about June 4, 2005, in the Northern District of Georgia, the defendant,

JOHNNY ARROYO-PINEDA

aided and abetted by others, did knowingly and intentionally attempt to possess with intent to distribute cocaine, a Schedule II controlled substance, said possession involving at least five (5) kilograms of a mixture containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1),

841(b) (1) (A) (viii), 846 and Title 18, United States Code, Section 2.

COUNT FOUR

On or about June 4, 2005, in the Northern District of Georgia, the defendants,

VICTOR RAMON GILES-MORALES, and
OLIVAR MARTINEZ-BLANCO

aided and abetted by each other and others, did knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II controlled substance, said possession involving at least five-hundred (500) grams of a mixture containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1), 841(a)(1)(A)(viii) and Title 18, United States Code, Section 2.

COUNT FIVE

On or about June 4, 2005, in the Northern District of Georgia, the defendants,

VICTOR RAMON GILES-MORALES, and
OLIVAR MARTINEZ-BLANCO

aided and abetted by each other and others, did knowingly and intentionally possess with intent to distribute marijuana, a Schedule I controlled substance, said possession involving at least one-hundred (100) kilograms of a mixture containing a detectable

amount of marijuana, in violation of Title 21, United States Code, Sections 841(a)(1), 841(a)(1)(B)(vii) and Title 18, United States Code, Section 2.

COUNT SIX

On or about June 4, 2005, in the Northern District of Georgia, the defendants,

VICTOR RAMON GILES-MORALES, and
OLIVAR MARTINEZ-BLANCO

aided and abetted by each other and others, did knowingly and intentionally possess with intent to distribute cocaine, a Schedule II controlled substance, said possession involving at least five-hundred (500) grams of a mixture containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1), 841(a)(1)(B)(ii) and Title 18, United States Code, Section 2.

FORFEITURE PROVISION

The indictment charges the defendants,

JOHNNY ARROYO-PINEDA,
VICTOR RAMON GILES-MORALES, and
OLIVAR MARTINEZ-BLANCO

with violations of Title 21, United States Code, Sections 841 and 846 and, upon conviction of such a violation of the law, such convicted defendant shall forfeit to the United States (1) any and

all property obtained directly or indirectly as a result of any such violation, and (2) any and all property used, or intended to be used, in any manner or part to commit and to facilitate the commission of any such violation charged in this indictment, including, but not limited to, \$834,742.00 in United States currency.

All pursuant to Title 21, United States Code, Section 853.

If, as a result of any act or omission of a defendant, any such property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of said defendant up to the value of the above
forfeitable property.

A True
Bad W. Sod BILL

FOREPERSON

DAVID E. NAHMIAS
UNITED STATES ATTORNEY

Sandra E. Strippoli

SANDRA E. STRIPPOLI
ASSISTANT UNITED STATES ATTORNEY
1800 U.S. Courthouse
75 Spring Street, S.W.
Atlanta, GA 30303
404/581-6304
404 581-6171 fax
Georgia Bar No. 688565